



കേരള ഗസറ്റ് KERALA GAZETTE

അസാധാരണം EXTRAORDINARY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്
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Thiruvananthapuram,
Saturday

2024 മാർച്ച് 23
23rd March 2024

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10th Meenam 1199

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No.

1124

PROCEEDINGS OF THE DISTRICT MAGISTRATE & DISTRICT COLLECTOR, KOTTAYAM (Present : V. VIGNESHWARI, IAS)

No. DCKTM-268/2024-H1.

16th March, 2024.

Sub:—General Election to Loksabha 2024—Prohibitory Orders issued under section 144 of the code of criminal procedure, 1973—Reg.

Ref:— 1. Letter No. 464/INST/EPS/2023/L&O dated 8-6-2023 of Election Commission of India.

2. Letter No. 437/6/1/INST/ECI/FUNCT/MCC/2024 dated 16-3-2024 of Election Commission of India.



ORDER

UNDER SECTION 144 OF CRIMINAL PROCEDURE CODE, 1973

WHEREAS, the Election Commission of India has announced on 16-3-2024 that the General Election to Lok Sabha 2024 for the State of Kerala Scheduled to be held on 26-4-2024 and counting of polled votes is fixed on 4-6-2024;

AND WHEREAS, it is essential to conduct the General Election in free and fair manner and to maintain public peace, order and tranquility as per provisions of Law and Model Code of Conduct has come into force soon after the announcement of the Election Schedule;

AND WHEREAS, the Election Commission of India has also instructed that Prohibitory orders under section 144 of the Code of Criminal Procedure, 1973 shall be issued Banning the carrying of licensed arms as soon as the election is announced and should be effective till the declaration of result;

AND WHEREAS, it appears to me that carrying firearms, spears, swords, lathis and other weapons by the public during the election period is likely to lead to a breach of peace and pose a threat to the peaceful conduct of elections in the District of Kottayam comprising of Kottayam Lok Sabha Constituency where elections are Scheduled;

AND WHEREAS, Political disputes, confrontation and violence may happen on the eve of the Poll day due to misuse of Hotels, Restaurants, Tea Shops, food shops and other shops etc. while carrying out door to door campaigning or intimidation of voters or influencing voters and due to gathering of any crowd at such places within the vicinity of 200mts. of the Polling Station which may create nuisance and Law and Order problems;

AND WHEREAS, under section 126 of the Representation of People Act, 1951, no public meetings, processions, musical concert or rally or any kind of propagation of any election matter for campaigning or electioneering is to be allowed in the last 48 hours from the hours of close of Poll i.e., from 18.00 hours on 24-4-2024;

AND WHEREAS, Sections 171-B and 171-C of IPC clearly disallow and penalize any attempt of Bribery and undue influence and Section 171-H of IPC penalizes any attempt for illegal payments for promoting election of any Candidate;

AND WHEREAS, in my opinion there is sufficient ground for proceeding under section 144 of the Code of Criminal Procedure, 1973, to prohibit the action mentioned in the pre-para, which may be detrimental to public peace and tranquility and may pose a threat to the peaceful conduct of free and fair election.

NOW, THEREFORE, I, V. Vigneshwari, IAS, District Magistrate and District Election Officer, Kottayam District, in exercise of the powers vested in me under provision of Section 144 the Code of Criminal Procedure, 1973, do hereby order that:

There shall be prohibition of carrying firearms of any kind, spears, swords, lathis and any other weapons by the general public in the District of Kottayam. This order is promulgated with effect from today and will remain in force until the declaration of result. Breach of the order would invite prosecution under section 188 IPC.



FURTHER, this ban shall not apply to those Nationalised/Private Banks where arms are necessary to safeguard cash chests and also those sports persons who are registered with the National Rifle Association and have to participate in various sporting events in which they use their rifles.

FURTHER, this ban shall not apply to those communities who are entitled to display weapons by long-standing law, custom and usage. However, the police shall impound the weapons of any persons even from such communities, if found to be indulging in violence or posing a threat to maintaining law and order and peaceful conduct of elections.

During the period of 48 hours ending with hour fixed for conclusion of poll on 26-4-2024 in Village, Panchayat, Municipal and Town areas of all the Taluks under the jurisdiction of Kottayam District Election Office, Kottayam.

- (a) There shall be ban on unlawful assembly as per section 141 of IPC and any procession or rally shall be prohibited to prevent any nuisance and law and order problem.
- (b) No loudspeaker shall be permitted to be used for the purpose of elections during the period of 48 hours ending with the poll closing time.
- (c) Vehicles permitted to all contesting candidates by the Returning Officers for campaigning shall not ply on roads to avoid any distribution of money or gifts or liquor and to prevent any nuisance and law and order problems except vehicles authorized by the Returning Officers on the day of Poll.
- (d) All private vehicles shall be checked in dignified manner as per rules to avoid their misuse for distribution of money or gifts or liquor and for causing any nuisance also to avoid any harassment to private persons.
- (e) No liquor shops, hotels, restaurants, clubs and other establishments selling/serving liquor, should be permitted to sell/serve liquor to anyone whosoever, on the aforesaid days; and on timings mentioned therein.

The District Police Chief, Kottayam shall implement this order.

Given under my hand and seal on this 16th day of March, 2024.

DISTRICT MAGISTRATE AND
DISTRICT ELECTION OFFICER,
Kottayam.



To.—

District Police Chief, Kottayam—For implementing the order.

Copy submitted to.—

The Chief Secretary to the Government, Thiruvananthapuram for kind information.

The Chief Election Officer, Thiruvananthapuram for kind information.

The Sub-Divisional Magistrate, Kottayam/Pala.

Copy to.—

The District Information Officer, Kottayam (for making wide publicity).

The District Informatics Officer, Kottayam (for making wide publicity).

Lead Bank Manager, Kottayam.

CA to DM and ADM.

